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EXAMINER
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ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.  
08/922,462

Applicant(s)  
DeFrancesco et al.

Examiner  
Nga B. Nguyen

Group Art Unit  
2164



☒ Responsive to communication(s) filed on May 19, 2000

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claim

☒ Claim(s) 13, 16, 17, 20-22, and 38-44 is/are pending in the applicat

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 13, 16, 17, 20-22, and 38-44 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been  
☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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### DETAILED ACTION

1. This Office Action is the answer to the Amendment filed on May 19, 2000 , which paper has been placed of record in the file.
2. Claims 13, 16, 17, 20-22, and 38-44 are pending in this application.

#### *Response to Arguments/Amendment*

3. Applicant's arguments with respect to claims 1-37 have been considered but are moot in view of the new ground(s) of rejection.
4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 13, 16, 38, and 43-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dykstra et al, U.S. Patent No. 5,611,052.

Regarding claim 13, Dykstra discloses a computer based method of managing a credit application in a system including a central processor coupled to a communications medium for communicating with a remote application entry and display device that allows entry of the credit application (see abstract), a remote credit bureau terminal device (figure 1, item 38), and a remote funding source terminal devices (figure 1, item 34), the method comprising the steps of:

receiving credit application data from the remote application entry and display device (column 4, lines 12-35);

obtaining credit report data from at least one remote credit bureau terminal device (column 4, lines 41-65);

selectively forwarding the credit application data and the credit report data to at least one remote funding source terminal device (figure 2A, step 120);

forwarding funding decision data from the at least one remote funding source terminal device to remote application entry and display device (figure 2A, step 122).

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Dykstra does not teach the step of: providing insurance data to a user at the remote application entry and display device. However, examiner is unable to find the step of: “providing insurance data to a user at the remote application entry and display device” in the disclosure of the instant application. Examiner requests citation supporting the claimed feature.

Regarding claim 16, Dykstra does not directly teach remote application entry and display device include a telephone connection for voice communication with a remote data entry location to provide the credit application data. However, Dykstra does teach remote application entry and display device having a keyboard, display, or other user input/output devices (column 3, lines 55-60). Therefore, it would have been obvious in Dykstra’s to include a telephone connection for voice communication with a remote data entry location to provide the credit application data.

Regarding claim 38, Dykstra further discloses the system processes credit applications for a dealer having a plurality of dealerships located at different locations, the method further comprising the steps of: aggregating data from each or the plurality of dealerships; and providing the dealer with a consolidated report using the aggregated data (see figure 1, item 26 and column 4, lines 12-40).

Regarding claim 43, Dykstra discloses a credit application and routing system comprising:  
a processor is located at a lender (figure 1, item 26); and  
at least one data input terminal for selectively receiving credit application data from applicants at remote location and forwarding the data to the processor over a communication

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medium, wherein processor executes a program the performs method steps for handling the credit application (column 4, lines 12-40), the method steps including:

receiving the credit application to allow either manual decision of the credit application nor manual entry of the credit application into an in-house credit processing system (column 4, lines 22-24);

viewing all credit application request sent to the lender (column 4, lines 50-65);

viewing all referrals the lender may have made (column 4, lines 50-65);

viewing specific details about a dealer (column 4, lines 27-29).

Dykstra does not teach the step of entering and distributing lender news. Official notice taken that entering and distributing lender news is old and well-known in the art. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include the step of entering and distributing lender news with Dykstra's for the purpose of providing more convenient for the applicant to choose the lender based on lender's information such as lender's name, credit limit, interest, etc.

Regarding claim 44, Dykstra discloses the specific details include whether the lender has a relationship with the dealer (column 4, lines 20-22).

7. Claims 17, 20-22, and 39-42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dykstra et al, U.S. Patent No. 5,611,052 in view of Barnett Dealer Financial Services.

Regarding claim 17, Dykstra discloses a computer based method of managing a credit application in a system inducing a central processor coupled to a communications medium for

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communicating with a remote application entry and display device (see abstract), a remote credit bureau terminal (figure 1, item 38), and a remote funding source terminal device (figure 1, item 34), the method comprising the steps of:

receiving credit application data from the remote application entry and display device (column 4, lines 12-35);

obtaining credit report data from at least one remote credit bureau terminal device (column 4, lines 41-65);

selectively forwarding the credit application data and the credit report data to a first remote funding source terminal device (figure 2A, step 120); and

forwarding funding decision data from the at least one of the first and second remote funding source terminal device to remote application entry and display device (figure 2A, step 122).

Dykstra does not teach the step of: the first remote funding source terminal device selectively forwards the credit application and the credit report data to a second remote funding source terminal device if the funding source associated with the first remote funding source terminal declines to approve the credit application. However, Barnett Dealer Financial Services teach the step of: the first remote funding source terminal device selectively forwards the credit application and the credit report data to a second remote funding source terminal device if the funding source associated with the first remote funding source terminal declines to approve the credit application (page 1, lines 22-30). Therefore, it would have been obvious to one with

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ordinary skill in the art at the time the invention was made to include that feature as taught by above Barnett Dealer Financial Services with Dykstra's for the purpose of saving time and labor costs.

Regarding claim 20, Dykstra discloses a computer based method of managing a credit application in a system inducing a central processor coupled to a communications medium for communicating with a remote application entry and display device (see abstract), a remote credit bureau terminal (figure 1, item 38), and a remote funding source terminal device (figure 1, item 34), the method comprising the steps of:

receiving credit application data from the remote application entry and display device (column 4, lines 12-35) ;

obtaining credit report data from at least one remote credit bureau terminal device (column 4, lines 41-65) ;

selectively forwarding the credit application data and the credit report data to a first remote funding source terminal device (figure 2A, step 120). ; and

forwarding funding decision data from the at least one of the first and second remote funding source terminal device to the consumer (figure 2A, step 122).

Dykstra neither teaches the system processes credit applications for a dealer having a web site nor the step of: the first remote funding source terminal device selectively forwards the credit application and the credit report data to a second remote funding source terminal device if the funding source associated with the first remote funding source terminal declines to approve the



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credit application. However, Barnett Dealer Financial Services teach the system processes credit applications for a dealer having a web site (page 1, lines 30-37) and the step of: the first remote funding source terminal device selectively forwards the credit application and the credit report data to a second remote funding source terminal device if the funding source associated with the first remote funding source terminal declines to approve the credit application (page 1, lines 22-30). Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include that feature as taught by above Barnett Dealer Financial Services with Dykstra's for the purpose of saving time and labor costs.

Regarding claims 21-22, Dykstra discloses sending a copy of the funding decision data to the dealer directly by at least one of the following steps: faxing the funding decision data to the dealer; and providing the funding decision data to the dealer on-line (column 5, lines 3-5).

Regarding claims 39 and 41, Dykstra teaches the remote application entry and display device includes a data entry terminal for manual entry of the credit application data (figure 1, item 26), but Dykstra does not teach wherein the data entry terminal is connected to an insurance system, and wherein the insurance system is connected to the credit application and routing system to provide insurance data to a user of the remote application entry and display device. However, examiner is unable to find the feature: "the data entry terminal is connected to an insurance system, and wherein the insurance system is connected to the credit application and routing system to provide insurance data to a user of the remote application entry and display

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device” in the disclosure of the instant application. Examiner requests citation supporting the claimed feature.

Regarding claims 40 and 42, Dykstra further discloses the system processes credit applications for a dealer having a plurality of dealerships located at different locations, the method further comprising the steps of: aggregating data from each or the plurality of dealerships; and providing the dealer with a consolidated report using the aggregated data (see figure 1, item 26 and column 4, lines 12-40).

### *Conclusion*

8. Claims **13, 16, 17, 20-22, and 38-44** are rejected.
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Nga B. Nguyen, whose telephone number is (703)306-2901. The examiner can normally be reached on Monday-Thursday from 7:30 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent A. Millin, can be reached on (703)308-1065.

10. **Any response to this action should be mail to:**

Commissioner of Patents and Trademarks  
c/o Technology Center 2700  
Washington, D.C. 20231

**or faxed to:**

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(703) 308-9051, (for formal communications intended for entry)

or:

(703) 308-5397 (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II,  
2121 Crystal Drive, Arlington.  
VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding  
should be directed to the Group receptionist whose telephone number is (703)305-3900.

Nga B. Nguyen  
December 14, 2000



VINCENT MILLIN  
SUPERVISORY PATENT EXAMINER  
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